

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

2006 JUN 12 PM 12:09

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY
DEPUTY CLERKTRAVIS CO. J.V.,
ROGER C. HILL, SR.,
and CHRISTOPHER HILL,

Plaintiffs,

VS.

HENNESSEE GROUP, LLC, ELIZABETH
LEE HENNESSEE and CHARLES J.
GRADANTE,

Defendants

CIVIL ACTION NO. SA-06-CV-0146-FB

**DEFENDANTS' MOTION FOR LEAVE OF COURT TO FILE SUPPLEMENTAL
MEMORANDUM IN OPPOSITION TO PLAINTIFFS' MOTION TO STAY**

Defendants Hennessee Group, LLC ("Hennessee Group") Charles Gradante and Elizabeth Lee Hennessee ("Defendants"), hereby request leave of Court to file a Supplemental Memorandum in Opposition to Plaintiffs' Motion to Stay for the sole purpose of addressing factual inaccuracies contained within Plaintiffs' Supplemental Reply in Support of Plaintiffs' Motion to Stay Claims Pending Arbitration ("Supplemental Reply").

On or about June 2, 2006, Plaintiffs filed a Supplemental Reply in Support of Plaintiffs' Motion to Stay Claims Pending Arbitration ("Supplemental Reply"). In Plaintiffs' Supplemental Reply, they allege several factual inaccuracies based on hearsay heard second and third hand. Additionally, Plaintiffs imply that Defendants are attempting to mislead this Court. Without an otherwise fair opportunity to address Plaintiffs' Supplemental Reply, Defendants are left with little choice but to move this Court for leave to file a Supplemental Memorandum in order to defend against these spurious allegations.

WHEREFORE, Defendants respectfully request that the Court grant Defendants leave to file a Supplemental Memorandum in Opposition to Plaintiffs' Motion to Stay Claims Pending Arbitration.

Respectfully submitted,

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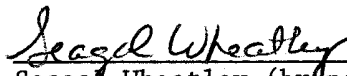
HENNESSEE AND CHARLES

GRADANTE

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of June, 2006, a copy of the foregoing Motion for Leave of Court to File a Supplemental Memorandum in Opposition to Plaintiffs' Motion to Stay Claims Pending Arbitration was forwarded to the following counsel of record by certified mail, return receipt requested.

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